

The Efficacy of Police Interventions towards Resolution of Conflicts within the Illemi Triangle

Joseph Mele¹, Pontian Okoth¹, Edmond Were¹ and Silvia Vundi^{2*}

1Masinde Muliro University of Science and Technology, Department of Peace and Conflict Studies, P.O. Box 190-50100 KAKAMEGA

2Masinde Muliro University of Science and Technology, Department of Educational Foundations, P.O. Box 190 – 50100 KAKAMEGA

ABSTRACT

Intervention of security agencies is considered key to lasting peace. This is especially crucial to attaining peace in communities where socio-cultural beliefs advocate for revenge. The study sought to examine the efficacy of police interventions towards resolution of conflicts within the Illemi Triangle. The study adopted neo-realism and conflict theories, while employing exploratory research design. The target population included all the households in Kibish sub-county (Kenyan), Narus and Mogos in South Sudan. A stratified random sample of 432 household heads and 30 key informants was selected from the three administrative units. Data collection tools used included household survey interviews, Focus Group Discussions (FGDs) and in depth interviews. The collected data was analyzed qualitatively and quantitatively. The study established that the communities within the Illemi Triangle rarely sought police interventions during their conflicts. They instead armed themselves with varied weapons to fight each other. The study concludes that failure to entrust security agencies with ensuring peace within the Illemi Triangle has played a great part to exacerbate the current conflicts in the Triangle. The findings of this study are of great significance to the governments of the two states in addressing the complexities occasioned by the disputed territorial boundaries affecting conflict management among the communities along the borders of the two states. (211 Words)

Key words: Illemi Triangle, cross border conflict, police interventions, lasting peace.

1.1. Background to the Study

Illemi Triangle is an area measuring between 10,320 and 14,000 Km² and bordering Kenya, South Sudan, Ethiopia and Uganda (Brownlie, 1979). Presently, Kenya has *de facto* control of the area, but not without contest by South Sudan-albeit unofficially. The principal cause of the contested ownership of the territory is the arbitrary delimitation of the Kenya and Sudan boundary.

The inconclusive delimitation of the boundary between Kenya and Sudan (now South Sudan) is traceable to the need to secure the Nile and to contain the imperial ambitions of Emperor Menelik II-who was keen at expanding his empire to coastal Kenya, is what made the British to direct its resources to the delimitation of Ethiopia-Sudan, and Ethiopia-Kenya borders (Marcus, 1975). Accordingly, the British led by Captain Philip Maud in 1902-03 drew a temporary boundary between Kenya and Ethiopia called “Maud Line”, which later became the permanent boundary between Kenya and Ethiopia. Having contained Menelik’s II expansionist ambition, the British saw no urgency in delimiting the borders between Sudan and Uganda, and Sudan and Kenya.

The re-drawing of the boundary between Kenya and Uganda in 1926 led to the transfer of Uganda’s Rudolf Province to the Kenya Colony and with it the unresolved Illemi area (Collins, 1962). Persistent raids of Turkana by Dassanech and Inyangatom prompted Kenya to deploy King’s African Rifles (KAR) to the area despite the area belonging to Sudan (Collins, 1962). Kenya’s continued control of the Illemi area is thought to have arisen from a secret pact between Kenya and the leaders of South Sudan insurgency, which ceded Illemi to Kenya in return for logistical, medical, and moral support in the Sudan civil war (McEwen, 1971). It is thus clear that since independence, the Sudan government has never administered Illemi area. Kenya’s policing of Illemi Triangle for over half a century has in a way solidified its claim over the area, with Kenya’s official maps after 1978 not bearing the 1914 line. Although the disappearance of the 1914 line from the Kenyan map implied that the Illemi area has been conferred to Kenya, the country’s occupation of the area remains contested, albeit, covertly by South Sudan and Ethiopia. The three countries- Kenya, Sudan (now South Sudan), and Ethiopia-have used their border communities to assert their claims over Illemi Triangle. For instance, in the 1990s Ethiopia armed the Dassanech on the pre-text that they were being guarded against Kenyan and Sudanese raiders

(Mburu, 1999). In the same period, Sudan armed the Toposa with over 50,000 firearms ostensibly to protect it from cross-border raids. Kenyan provided arms to Turkana on the pretext of protecting it from its hostile neighbors (Bevan, 2008). Observers, however, were quick to point that the sudden arms race in the area had more to do with leveraging presence and dominance in the disputed area (Mkutu, 2003).

The escalation of pastoral conflicts remains the foremost consequence of the arms race in Illemi region (Kandagor, 2005). For instance, cross-border skirmishes in the area resulted in the loss of over 460,000 livestock and displacement of over 170,000 between 1994 and 2005 (Masinde, Adan, & Pkalya, 2004). Arms buildup in the region has also led to increased fatalities, with a case in point being in 2004 when over 40 people following attacks of Toposa by Turkana raiders. Further, in 2008, Toposa raided the Turkana, resulting in over 43 deaths (McEvoy and Murray 2008). These cases represent just a small fraction of the violent confrontations among the pastoral communities in the disputed region. Limited media attention combined with poor communications infrastructure imply that horrific events such as the ones cited here go unreported.

While scholars concur that pastoral conflicts have increased both in frequency and intensity, much of their attention on the causes of these conflicts have been directed more on cultural practices. For example, McEwen (1971) observes that the delimitation of these boundaries failed to correspond with terrain features and ethnic sensibilities of the affected areas. Ngatia (1984) also points that African boundaries as drawn by the colonial powers did not respect local opinion such as customary pastures for transhumant populations. The studies ignore the aspect of weak internal policing. It is against this background that the current study examined the efficacy of police interventions towards resolution of conflicts within the Illemi Triangle.

1.2 Statement of the Problem

Illemi Triangle as a forage rich area was a common pool resource to the Turkana, Karamojong, Toposa, Inyangatom, Merile and Daasanach communities, with pastoralism being their main source of livelihood. Partition of Africa at the onset of colonialism resulted in the dispersion of the sub ethnicities to different countries. For instance, the Turkana have found themselves in Kenya, Toposa in South Sudan, Merile in Ethiopia, and Inyangatom between South Sudan and Ethiopia, and Karamojong in Uganda. While the Triangle is geographically situated in Kenya, thus giving the Turkana community an overriding access and use of the forage rich area, the other communities still lay claim to the resource that previously was a common pool. Several attempts by these communities to access the forage rich area have at times resulted in fatalities on either side. While conventionally, attempts by other communities to access the Triangle by force amounts to external aggression, the host countries of these communities have consistently shown reluctance to apprehend the invaders and subject them to the rule of law in their respective countries or hand them to the Kenyan law and order agencies.

The inability of the traditional conflict resolution mechanisms to deal firmly with conflicts arising from access and use of the Illemi Triangle is what informed the study to examine the efficacy of police interventions towards resolution of conflicts within the Illemi Triangle.

1.3 Objective of the Study

The study sought to assess the efficacy of police interventions towards resolution of conflicts within the Illemi Triangle.

2.0 LITERATURE REVIEW

Cross-border raiders are immune from prosecution, because governments lack the capacity or infrastructure required to prosecute those involved in acts taking place in other jurisdictions.

A Small Arms Survey report showed that nearly 60 percent of residents living along the Kenya-Sudan border are dissatisfied with security provisions in their communities (McEvoy and Murray 2008). A 2008 ammunition study in Kenya found that the majority of illicit civilian-held ammunition was Kenyan-manufactured, revealing that it had either been stolen from weakly guarded stockpiles or sold by corrupt officials (Bevan, 2008). This suggests possibility of security lapses in safeguarding Kenyans given that many arms land in the wrong hands. In Southern Sudan, the Sudan People's Liberation Army (SPLA) has also been accused of corruption and poor response to violent incidents. There is a growing police force in Southern Sudan, but it lacks training, is poorly

funded, and due to insufficient transportation and communications, cannot respond in time to violent events (Mburu, 2001).

Between the border town of Nadapal (Sudan) and Lokichoggio (Kenya), a disputed 25-kilometer road connects the two countries. Without any security posts on the road, Turkana warriors from the hills are able to ambush the many cars that travel up and down this road daily. Deficits in the government security sector are compounded by the common practice of governments and security forces arming paramilitary groups for political advantage against opponents, notably in Uganda and Sudan. This, among other things, sustains the circulation and widespread availability of small arms. This study sought to establish the influence of the availability of the small arms and light weapons on the efficacy of police interventions towards conflict resolution within the Illemi Triangle.

The study was guided by realism and conflict theories. Realists believe that, in an anarchic system, law can only be enforced through State power (Mearsheimer, 2001). Conflict theory on the other hand stresses the existence of opposing forces in the life of individuals and society in general. The theory also maintains members of society have different values, interests or expectations, which vary according to one's position, ability, and wealth. The study thus sought to establish the efficacy of the police, who represent state power in enforcing law and order within the Illemi triangle within a background of conflicting groups with different values, interests and expectations.

3.0 RESEARCH METHODOLOGY

The study was guided by exploratory research design. This design is suitable in studies that seek to tackle new problems on which little or no previous studies have been done (Brown, 2006). A review of literature reveals that very little (if any) has been done on the Illemi Triangle with regard to the efficacy of police interventions towards resolution of conflicts within the Illemi Triangle.

This design is also useful in situations where the nature of the problem, which by itself does not itself solve the problem with finality (Saunders, Lewis & Thornhill, 2007). The study is alive to the fact that pastoral conflicts are complex in terms of their causes and solutions. The area under study was Illemi triangle. Illemi is a triangular piece of land joining Sudan, Kenya, and Ethiopia described in some records as measuring 14,000 square kilometers and 10,320 square kilometers in others. It lies north of the equator between latitude (deg min) 5 00N and longitude 35 30N and is variously defined as Ethiopia (claimed), Kenya (de facto), and, Sudan (claimed) (Mburu, 2003).

The study area, Illemi triangle is home for five ethno linguistic communities: the Turkana, Didinga, Toposa, Inyangatom, and Dassanech, who are members of the larger ethno cultural groups of Ethiopia, Kenya, Uganda, and Sudan, but traditionally migrate to graze in the triangle. The Illemi Triangle is found in Kibish Sub-county and partly Turkana West sub counties of Turkana County. The study sampled population of Kibish, Mogos and Narus sub counties in Kenya and South Sudan respectively. The sub counties have a total population of about 364,000 people. It considered persons aged between 18 years and above. These were about 273,000 people.

The units of analysis for the study were the household heads using the pastoral resources of the Illemi Triangle. The study determined the sample size using Taro Yamane's formula (Yamane, 1967) which gave sample size as 432.

The study used purposive and stratified sampling methods. Purposive sampling method was used to select the key informants. The choice of key informants was determined by the position and experience on pastoral livelihoods and management of pastoral resources. For this reason, the study selected elders, government officials, security officials.

Stratified random sampling was used to select the respondents for the questionnaire. Elders, herders, warriors and women were stratified based on their numerical strengths in each stratum. The study employed both qualitative and quantitative procedures of data collection. Questionnaires were the main instrument used to collect quantitative data for the study. They had both structured and unstructured questions to enable collection of standardized responses while simultaneously providing respondents the opportunity to respond without restrictions.

Qualitative data were obtained through the use of in-depth interviews. Interviews were largely used to obtain data from community elders, government officials, and security and international relations experts. The study

employed a semi-structured interview guide containing some pre-determined questions for the respondents. This instrument was preferred because some semi-literate respondents were involved. Choice of interviews was because they are useful in the collection of data that is not directly observable since they enquire about feelings, motivation, attitude, accomplishment, opinion as well as an individual's experiences (Orodho, 2003).

Focus Group Discussion was used to collect qualitative data. A focus group discussion (FGD) has been cited as a good way to gather together people from diverse backgrounds and experiences to discuss a specific topic of interest (Stewart & Shamdasani, 1990). The study brought elders, government officials, and heads of local security agencies, security and international relations experts to a round table for discussions.

To ascertain the validity of data collection instruments, piloting was done whereby 10% of the study sample completed questionnaires. The aim of the exercise was to ensure that questions elicited only desired and intended responses. A reliability co-efficient (alpha value) of 0.81 was obtained and reflected the acceptable reliability (Cozby, 2001). The researcher then modified the content of the questionnaires based on the assessment and responses

Descriptive and inferential statistics were used to analyze data after appropriate data coding. Descriptive statistics describe patterns and general trends in a data set. Descriptive statistics were used to examine or explore one variable at a time. Descriptive statistics included frequencies, percentages and mean. Inferential statistics are used to test the associations and relationships between independent and dependent variables. The study used Ethno-Graph software to analyze qualitative data generated through interviews and focus group discussions. Results of the study was summarized and presented in tables.

4.0 FINDINGS AND DISCUSSION

The analysis of police interventions to the conflicts in the Illemi Triangle focused on the following variables; police intervention in the event of conflict; police response to the conflict; and, effectiveness of police in managing the conflict.

4.1: Police Intervention during Conflict

The study sought to establish whether respondents sought police intervention during conflicts. Table 4.1 summarizes the findings:

Table 4.1: Police Intervention during Conflict

Variable	Data Set	Frequency	Percent
Police Intervention	Frequent	88	23
	Rarely	172	44
	None	46	12
	Total	391	100.0

Source: Field Data (2016)

From table 4.1, majority of respondents 172 (44%) said that the communities rarely sought police intervention in the event of conflicts with the neighbouring communities compared to 88 (23%) who frequently sought police intervention in the face of conflicts. From interviews, one Turkana warrior said:

We do not seek any intervention during attack, we fight with our guns. If we are defeated, we organize for counter attacks to pay back those bad Toposas. We are ready to exchange cattle with guns so that we secure our *manyattas* (houses) and resources against the attackers (Field data, 2016).

From the responses, it is clear that the respondents are not keen to seek police intervention. They prefer to arm themselves and retaliate in the event of loss during wars. To the Morans, conflict appears to be more preferred. This could be as a result of their socialization as badits; a practice that encourages development of vigilante groups.

The study notes that among the study respondents, use of armed village vigilante groups is encouraged. The communities consider their presence a deterrent to raiding by bands that sneak behind government security forces. This however promotes the prevalence of conflicts in the Illemi Triangle. The situation can only be reversed if the pastoralists understand that, it is they who will determine their own fate. Government's effort to disarm the pastoralists can only succeed if they cooperated.

Armed conflict among the Karimojong has gone down when all Karimojong adults were trained and armed in the highly successful "chakamachaka" (village vigilante) program. The only danger was been that when the same Uganda government wanted to disarm them for attacking unarmed groups within Uganda, the Karimojong repulsed government forces. Karimojong hold over one million guns, which are less than those held by government soldiers, for government troops hold less than half a million.

4.2 Speed in police intervention

The study sought to establish from the respondents their perception on the speed with which Police could intervene if called upon during a conflict. The findings are in table 4.2.

Table 4.2: Speed in police intervention

Variable	Data Set	Frequency	Percent
Police Response	Fast	116	30
	Slow	252	64
	No intervention	16	4
	Total	391	100.0

The findings in Table 4.2 indicate that majority of the respondents 252 (64.3%) felt that the police response is rather slow. Only 116 (30%) felt that their response can be fast. At least 16 (4%) felt that police would never intervene at all.

The findings depict apathy in expecting police to quickly respond in conflicts. This could be because of the volatile nature of the police force. Mkutu (2003) observes that the Kenyan police force context is characterized by an under-resourced police force, communal versus private property conflicts, and an unequal division of public goods among ethnic groups that trigger for 'rearm misuse and armed violence by Kenya Police Reservist (KPRs). Much of the security in the Northern Kenya is managed by KPRs.

The study avers that, securing the country's internal security must be achieved before Kenya can address its border security. A variety of innovative approaches are needed to secure rural safety and security. What is clear from this paper is that the roles of many players must be considered, but ultimately the state must take the lead. Without a clearly defined framework the KPR offers more security risks than benefits (Mkutu, 2003). Attaining this can improve citizens' confidence in police protection. police presence in the Illemi Triangle can also guarantee lasting peace in the Illemi Triangle.

They are often denied government services and since formal legal and police services are usually nonexistent in pastoralist communities, the state seldom plays a role in guaranteeing their security. When they do become an object of state interest and intervention, it often involves forced settlement and other coercive efforts to make nomads conform to sedentary life, which only strengthens their impulse to remain apart. Furthermore, in the case of security promotion, state actions tend to be authoritarian and heavy-handed.

Kenyan police and provincial administration were also informed that an attack would occur if they did not convince the Gabras to return the stolen animals. The Gabra did not return the animals. On the seventh day, at daybreak, the Dassanetch attacked Gabra herding camps in the Kokai area, seizing a great number of cattle and

killing twenty Gabras. When Kenyan police pursued them, the raiders hid the animals, laid an ambush and killed 19 of their pursuers majority believed to be security personell and forced others into lakes slaughtering them indiscriminately, stealing their uniforms and weapons. These made the local Dassanetch in Ileret flee their homes and enter Ethiopia due to fear of an imminent retaliation by the Gabras (Galaty, 2000). It took the Dassanetch five years to return to their homes. They came back after negotiations and the Gabras did not attack them (Galaty, 2000).

4.3 Effectiveness of Police Intervention During Conflict

The study sought to find out if the police interventions were effective resolving conflicts within the Illemi Triangle. Table 4.3 gives the findings.

Table 4.3: Effectiveness of police intervention during conflict

Variable	Data Set	Frequency	Percent
Effectiveness of Police	Effective	204	52
	Not Effective	187	48
	Total	391	100.0

4.4 Community's willingness to seek Government Intervention in Border Conflicts

The study sought From table 4.3, the study established that majority of respondent 204 (52.1%) viewed the police as ineffective in managing the conflicts. At least 187 (47.9%) considered the police to be effective.

The study avers that, police response has been slow due to attacks. For example between August and early November, 1996, according to a Ministerial statement from the Office of the President, 62 persons were killed in Tana River district alone by bandits – 11 were killed in November, 14 in October, 17 in September, one in August. The style of killing is more ambush and execution than shoot down in the heat of battle. On November 2 1996, an attack of Charadende village of Tana River left three villagers beheaded and more than 200 head of livestock stolen, according to the Daily press. A week earlier, in Roka village in the same district, eight people had been murdered. General Service Unit (GSU) and police detachments deployed in the area failed to stem another attack January 1, 1997, whereby bandits, armed with automatic rifles, grenades, and machine guns, shot dead three men and terrorised villagers before driving away six hundred head of cattle. According to local police reports, the bandits 'were believed to be members of a clan from the neighbouring district who may have been in the area in search of water and pasture.'

Police enter most pastoralist conflicts as the 'sixteenth clan' caring more about their image, their personal safety than about justice and peace, while denying the reality of anarchy all around them. When the police were unable to obtain information due to their poor linkages to local sources, they too often resort to extra judicial harassing of the local leaders, creating tension with their local supporters. Thus, in January 1996, the popular Isiolo county council chairman was held by police for hours of interrogation over raids where Boran are suspected to have killed an elder of a clan living with them in Isiolo. Local forces may be available but tainted by involvement in the recent conflict, requiring re-vetting and retraining of force members. Security sector reform programs in post-conflict states, which typically focus on rebuilding national police and military forces, should thus be expanded to assist in reforming or developing state border forces to establish respondents' willingness to seek their governments intervention in the international Illemi Conflict. Their willingness was to be manifest by how often they sought their government's intervention in the cross border conflicts. The results are given in Table 4.4.

Table 4.1: Frequency of seeking Government Intervention in the Cross Border Conflict

Response	Frequency	Percent
Very often	84	21.5
Rarely	244	62.4
Not at all	63	16.1
Total	391	100.0

Source Field Data (2016)

The study established that 244 (62.4%) respondents rarely sought the government intervention in the cross border conflict compared to 84 (21.5%) who often sought.

Government intervention in conflict resolution was not that effective. It was established that the affected communities have little capacity to lobby their governments to address the symptoms or underlying causes of conflicts. When governments do intervene, they often exacerbate the situation. Their efforts to quell pastoral conflicts tend to be intermittent, politicized, and reactive. This ad hoc 'crisis management' approach was established as short-sighted and tends to favour repression over reconciliation. When state resources are brought to bear on settling disputes, the formal justice system rarely provides for effective resolution.

5.0 SUMMARY, CONCLUSION AND RECOMMENDATIONS

The study established that the communities within the Illemi Triangle rarely sought police intervention in the event of conflicts with the neighbouring communities. They considered the police response slow. Instead, they chose to take up arms and protect themselves against the attackers. The study established that the communities rarely seek government intervention in the cross border conflict because the government response to cross border conflict was slow.

The study concludes that, the police intervention in event of conflict could not affect permanent solution to conflict; this is because the police intervention in event of conflict was just reacting to the symptoms of the conflict leaving out the root causes. The police responses were reactive, which, cannot establish permanent solution to the Illemi conflict. The police reactive management response when conflict occurs was not related to finding permanent solution to the conflict.

Based on the findings, the study recommends that the affected countries should develop peace policies targeting the communities in the respective countries. Such policies should include opening up security offices in the triangle to protect their communities. This would enhance peaceful co-existence of the communities at the borders. All the countries should develop progressive and sustainable disarmament of their respective communities in the triangle and instead provide security to the communities which are one of the mandates of governments.

The study recommends that a further study should be conducted to document specific border country challenge with the police force towards finding permanent solution to the conflict which this study did not cover. The findings from the study will bring to light a broader perspective of the Kenyan, Ugandan, South Sudan and Ethiopia challenges.

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